

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 321, FOOD AND DRUGS ACT.

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#### MISBRANDING OF CANNED PEAS.

(SHORT WEIGHT.)

On or about July 31, 1907, the P. Hohenadel, Jr., Company, of Rochelle, Ill., shipped from the State of Illinois to the State of Indiana a consignment of a food product, each case being labeled "Two Dozen two-pound cans Choice Standard Peas, Packed by the P. Hohenadel, Jr., Co., Rochelle, Illinois." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report made indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the P. Hohenadel, Jr., Co., and the dealer from whom the samples were purchased, opportunities for hearings. As it appeared after hearings held that the said shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney General, with a statement of the evidence upon which to base a prosecution. In due course a criminal information was filed against the said P. Hohenadel, Jr., Co., in the District Court of the United States for the Northern District of Illinois, charging the above shipment and alleging that the product was misbranded, in that the cases were labeled "Two Dozen two-pound cans Choice Standard Peas," which statement was false and misleading, in that each of the said cans of peas contained in the cases composing the shipment did not in fact weigh two pounds, but did in fact weigh less than two pounds.

On November 9, 1909, the defendant entered a plea of guilty and the court imposed upon it a fine of one cent.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *April 26, 1910.*